

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JOHN STOREN,	)	
	)	
Plaintiff,	)	Civil Action No.: <u>1:14-cv-03461</u>
	)	
v.	)	
	)	
	)	
A.R.M. & ASSOCIATES, INC	)	
	)	
Defendant.	)	

**COMPLAINT AND DEMAND FOR TRIAL BY JURY**

Plaintiff John Storen by and through his attorneys, FREDRICK SCHULMAN & ASSOCIATES, Attorneys at Law, as and for its Complaint against the Defendant A.R.M. & Associates (“Defendant”), respectfully sets forth, complains and alleges, upon information and belief, the following:

**INTRODUCTION/PRELIMINARY STATEMENT**

1. Plaintiff brings this action for damages and declaratory and injunctive relief arising from the Defendant’s violation(s) of Sec. 1692 et. seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collection Practices Act (“FDCPA”).

**PARTIES**

2. Plaintiff is a resident of the State of Maine, County of Penobscot.
3. Defendant is an Illinois corporation with a corporate headquarters located at 1275 Roosevelt Rd Ste 111 in West Chicago, Illinois 60185.
4. Plaintiff is a “debt collector” as the phrase is defined and used in the FDCPA.

**JURISDICTION AND VENUE**

5. The Court has jurisdiction over this matter pursuant to 28 U.S.C. Sec. 1331, as well as 15 U.S.C. Sec. 1692 et. seq. and 28 U.S.C. Sec. 2201. If applicable, the Court also has pendent jurisdiction over the State law claims in this action pursuant to 28 U.S.C. Sec. 1367(a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. Sec. 1391(b)(2).

### **FACTUAL ALLEGATIONS**

7. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “6” herein with the same force and effect as if the same were set forth at length herein.

8. Upon information and belief, on a date better known to the Defendant, the Defendant began collection activities on an alleged consumer debt from the Plaintiff (“Alleged Debt”).

9. In or about December of 2013, Defendant contacted Plaintiff’s father, John Storen Sr.

10. During said communication, Defendant told Plaintiff’s father that Plaintiff would be “served papers” and “arrested at his job site” if he failed to pay the Alleged Debt.

11. In or about February of 2014, Plaintiff received a phone call from Defendant in which Defendant claimed that non-payment of the Alleged Debt would result in his “arrest”.

12. In or about April of 2014, the Defendant left a message on Plaintiff’s answering machine.

13. In that communication, the Defendant failed to state that it was a debt collector, attempting to collect a debt and that any information obtained would be used for that purpose.

14. In addition, Defendant claimed that they had been retained in regards to a case pending against Plaintiff for “fraud”.

15. Plaintiff received approximately four (4) similar voicemails throughout the month of April.

16. As a result of the Defendant's deceptive, misleading and/or unfair debt collection practices, the Plaintiff has been damaged.

**FIRST CAUSE OF ACTION**

**(Violations of the FDCPA)**

17. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered "1" through "16" herein with the same force and effect as if the same were set forth at length herein.

18. Defendant's debt collection efforts attempted and/or directed towards the Plaintiff violate various provisions of the FDCPA, including but not limited to 15 U.S.C. Sec. 1692e(4), 15 U.S.C. Sec. 1692e(5), 15 U.S.C. Sec. 1692e(10), 15 U.S.C. Sec. 1692e(11), 15 U.S.C. Sec. 1692g(a).

19. As a result of the Defendant's violations of the FDCPA, Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

**DEMAND FOR TRIAL BY JURY**

20. Plaintiff demands and hereby respectfully requests a trial by jury for all claims and issues in this complaint to which the Plaintiff is or may be entitled to a jury trial.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff John Storen demands judgment from the Defendant A.R.M. & Associates, as follows:

- A. For actual damages provided and pursuant to 15 U.S.C. Sec. 1692k(a)(1);
- B. For statutory damages provided and pursuant to 15 U.S.C. Sec.1692k(2)(A);
- C. For attorneys' fees and costs provided and pursuant to 15 U.S.C. Sec. 1692k(a)(3);
- D. For a declaration that the Defendants' practices violated the FDCPA; and,

- E. For any such other and further relief, as well as further costs, expenses and disbursements of this action, as this Court may deem just and proper.

Dated: May 12<sup>th</sup>, 2014

Respectfully submitted,

By: /s/ David J. Copp  
David J. Copp – Of Counsel  
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